Could NUI Galway use an enabling policy to encourage the use and production of OER?

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I'm a member of the **NUI Galway** Library's Research & Learning division, where my role is primarily that of an educator, teaching information and digital literacy skills as part of an Academic Skills team. I'm interested in Open Educational Resources (OER), in part due to my engagement with them in my own teaching and learning support. I've been fortunate to be involved with the Library-led, Student Project Fund-funded OER pilot project, which seeks to establish a sustainable OER support service at NUI Galway and is funding and supporting the local creation of ten OER with the use of popular open textbook creation software, Pressbooks. While there are varying definitions of OER, the pilot project has adopted the **UNESCO definition of OER**, i.e. that they are "teaching, learning, and research materials in any medium – digital or otherwise – that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions."

Offering support for OER necessarily involves a basic familiarity with licensing, copyright, and intellectual property, since the underpinning factor for OER is open licenses. The most commonly used open licenses are Creative Commons licenses. When the author or creator of an educational resource - be it a textbook, self-directed learning resource, lesson plan, ancillary activity, video, or podcast - applies an open license to that resource, it becomes reusable and customizable by others in their own teaching contexts, for free.

Open licenses don't exist outside of established copyright and IP regimes and related policy frameworks; they are very much dependent on copyright law, and the overall copyright, IP and policy environment can impact on the ability of teachers and learners to create educational resources in an open way. As part of NUI Galway's OER pilot project, I have started to familiarize myself with this environment so that I can create pedagogical supports for local OER practitioners, whether self-directed online learning supports or workshops and other training activities.

As noted, institutional policies are an important aspect of the overall practical environment for the use and creation of OER. The **National Forum for Teaching & Learning in Ireland** recently released an updated [Guide to Developing Enabling Policies for Digital and Open Teaching and Learning](#). The Guide provides a starting point for considering how policy can inform open education; in my own context, this includes thinking about how shifts in policy might facilitate the enhanced use of OER at NUI Galway. NUI Galway's Vision 2025 articulates '[Open](#)' as one of its four core values. Within that value of Open, one of the Flagship Goals includes a commitment to 'promote the use and production of Open Educational Resources.' The overall university strategy is not the only current strategy document on campus articulating goals relating to the use and production of OER: the [Library Strategy 2021-2025](#) for example mentions Open Educational Resources in four different places, and the recently launched College of Arts, Social Sciences, and Celtic Studies strategy mentions 'Work[ing] with the Library in their ongoing efforts to promote the creation and classroom use of high quality Open Educational Resources'.

Given the University's increasing commitment to OER in statements of institutional strategy and values, the time seems ripe to be thinking more about 'enabling policies' and how they have been configured in the promotion and implementation of OER elsewhere, according to the National Forum.

What is an "Enabling Policy"?

As implied in the full title of the Forum's Guide, an enabling policy doesn't have to be limited to enabling only 'open' resources: the document also focuses on such policies as applied to digital teaching and learning that is not necessarily 'open' in nature. Responding to research indicating that stakeholders 'did not feel involved in decision-making processes regarding digital services at their institutions' (pg. 1), the Forum has developed a new definition of 'enabling policy'. Whereas the Forum's previous definition used three broad descriptors (i.e. being 'implementable, situated in practice and reflective of the HEI's priorities'), the revised definition involves fifteen criteria (pg. 3). The criteria include specifications that enabling policies are 'aligned with other policies', are 'collaborative', involve 'student-staff partnership', are 'supportive & flexible (rather than legalistic and prohibitive)' and are 'practical, implementable'.

Policies enabling open

Of seven policy case studies presented in Forum Guide, two present policies that specifically relate to OER. The first is the [University of Edinburgh OER policy](#) (pg. 15). Of interest with this policy is that it is 'informative rather than mandatory' and meant to 'encourage and support' rather than require any particular kind of practice. There is an OER Service that provides teaching and learner supports including digital skills workshops, while teaching and learning services have open licensing options built into them.

The Forum's second open-related policy case study is the [Intellectual Property Policy](#) implemented by **Kwantlen Polytechnic University** in Canada (pg. 16). This IP policy seeks to 'clarify IP rights for university members and to encourage the use of open practices across research, learning and teaching'. The policy 'upholds existing institutional agreements with faculty that the copyright for any work product created as part of assigned duties (including creative work, instructional strategies or curriculum/instructional material) belongs to the employee'. It specifies that students, too, retain copyright for work they created while

studying at Kwantlen. Procedures, templates, and the university's own practices when it comes to open licensing their own publications support the policy.

What to do in your locale?

Would a more explicit or deliberate policy - voluntary or otherwise - be useful in supporting the creation and promoting the use of OER? How 'enabling' is the current policy environment? These may be useful questions to ask in your own locale; I think they are here at NUI Galway, given the institutional interest in OER as expressed in the strategy documents outlined above. Galway, of course, already has a local IP Policy. What does this policy look like *vis-a-vis* OER?

A couple of issues that matter to OER practitioners are attribution and the ability to choose different types of open licenses. Attribution matters because, while practitioners are happy to give their work away for others to use, they usually want to be credited--to be acknowledged--for their work. The ability to choose an (open) license matters because some prefer a license that is as 'open' as possible – CC BY – others are concerned with the 'free rider' phenomenon, where commercial interests can collect OER, repackage them, and sell them on at a profit. The 'non-commercial' CC BY-NC helps prevent this.

Certain aspects of the current local policy are promising when it comes to these issues; others perhaps less-so. I wonder whether a policy that specifically addresses OER wouldn't be the best course to pursue - one that should be thought through deliberately from the standpoint of teaching and learning.

Of course it's not, and shouldn't be, up to me as an individual to make this call. The Forum T&L Guide proposes a 5-Step process for the implementation of an enabling policy, starting with Step 1, Identify Need for Policy. A multi-stakeholder, OER Enabling Group with a clear brief to identify precisely what the policy needs are at NUI Galway in terms of enabling OER would be a good way to get moving with Step 1. Once a more precise idea of need was established, the next step could be co-creation of a fresh policy.

OER is an important component of NUI Galway's Open vision; there should be a deliberate means of enabling OER, and a group tasked with figuring out the right local enabling policy environment would be one way to move forward.

What is the status of OER at your institution? A similar strategy may be useful in your context as well.

These views are the authors' own and do not necessarily reflect the views of UKSG.